

APPENDIX B

From: MCCALLUM, Robert
Sent: Friday, April 14, 2023 8:34 PM
To: Wood, Julia (ATR); Teitelbaum, Aaron (ATR)
Cc: MAHR, Eric (EJM); EWALT, Andrew (AJE); STEYL, Matthew; Zeke DeRose; Nicole Peles
Subject: Draft Discovery Coordination Order
Attachments: Discovery Coordination Order (2023-04-14)(11938575.1).docx

Julia and Aaron:

Further to Paragraph 5 of the Joint Motion for Entry of a Protective Order, Dkt. 96, attached is a draft of the Discovery Coordination Order for your consideration.

As you know, we have a narrow window in which to conduct and conclude our negotiations regarding the Coordination Order so that all parties can present their respective positions to Judge Brinkema and to Judge Castel by April 28 as contemplated by the Joint Motion. To give all parties sufficient time to do so, we propose to conclude negotiations at 12pm ET on Wednesday April 26.

In light of the tight timetable, I am copying Zeke DeRose on this email. Zeke is outside counsel to Texas and certain other States in the MDL, and is also a member of the Discovery Steering Committee for the MDL. Zeke has offered to help coordinate negotiations on behalf of all Plaintiffs in the MDL. (Zeke, please do let us all know if that's not correct.) We understand that the MDL Plaintiffs propose to handle the negotiation of the Coordination Order through a small group that represents the interests of all Plaintiff stakeholders in the MDL, but I will leave it to Zeke to confirm those details.

We suggest a call early next week with representatives from Plaintiffs in the EDVA case and the MDL to discuss how to structure our negotiations over the next two weeks. We are available to speak on Monday at 11am ET or Tuesday before 11.30 am ET. Please let us know if either of those timeslots would work for Plaintiffs in both cases. I am also copying counsel to Meta and they are welcome to join those discussions.

Kind regards,
Rob

Rob McCallum
Of Counsel

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